383

EATON, Sir John Caird Lady

1918-1919 (017)

(9th Draft - October 29th, 1918)

THIS INDENTURE made in duplicate this day of in the year of our Lord, one thousand nine hundred and eighteen,

B E T W E E N:-

SIR JOHN C. EATON, Knight, and FLORA McCRAE LADY EATON, and THE T. EATON CO.LIMITED of the City of Toronto, hereinafter called the "Donors"

OF THE FIRST PART:

-and-

THE GOVERNORS OF THE UNIVERSITY OF TORONTO hereinafter called the "Governors"

OF THE SECOND PART:

WHEREAS there is now established in connection with the Faculty of Medicine of the University of Toronto, a Department of General Medicine as an integral part of the educational system of the University and there is now applied and expended out of the general income of the University in connection with such Department the annual sum of thirteen thousand dollars ($13,000.00) or thereabouts.

AND WHEREAS the Donors propose, upon the terms and conditions hereinafter mentioned, to provide an annual income which shall, with the annual sum above referred to, be expended in connection with the said Department and the maintenance thereof and the Governors agree to accept the same on the terms and conditions hereinafter expressed,

NOW THEREFORE THIS INDENTURE WITNESSETH that the parties agree as follows;-

1. The Donor, The T. Eaton Co.Limited will pay to the Governors the sum of five hundred thousand dollars ($500,000.00) in twenty equal annual payments of twenty-five thousand dollars ($25,000.00) each on the first day of in each year, the first payment to be made on the first day of 1918,

and the last of such payments to be made on the day of 1937. The payments so made shall be known as the "EATON ENDOWMENT".

2. The Governors agree to set aside in each year of the twenty years during which the above payments are to be made for the purpose of the said Department and for expenditure in connection therewith a sum which in any event shall be not less than thirteen thousand ($13,000.00) dollars per year.

3. The annual sum of twenty-five thousand ($25,000.00) dollars, and the said annual sum to be set aside under paragraph 2 hereof, ~~and any gifts or donations for the purposes of the said Department or if same be made by way of capital endowment, the income therefrom~~ (the whole of which are hereinafter sometimes referred to as the "Income") shall be expended yearly in connection with the Department of General Medicine on the recommendation of the President with whom shall act in an advisory capacity the Committee, hereinafter referred to and upon the abolition of the Committee, in lieu thereof, the Head of the Department of General Medicine.

4. A Committee shall be appointed by the Governors on the recommendation of the President of the University, which Committee shall always include the Donors Sir John C. Eaton and Lady Eaton and a representative named by the said Donors and two members of the Medical profession named by the said Donors.

5. In the event of any vacancies in the Committee, the President after consultation with the Donors shall recommend a name or names to the Governors and the vacancies shall be filled by the Governors on such recommendation.

6. The Committee shall continue in existence until the payments herein provided for are fully paid or until a unanimous

recommendation of the President, The Dean of the Faculty of Medicine, the Permanent Head of the Department of Medicine to be appointed and the Donors Sir John C. Eaton and Lady Eaton recommending the abolition of the Committee is presented to the Governors.

7. The Committee shall act generally in an advisory capacity with the President in connection with the re-organization of the Department of General Medicine, and with the President and Permanent Head of the Department in connection with the direction of and policy of the Department after re-organization thereof and without limiting the above

(a) In an advisory capacity with the President in connection with the appointing of the Permanent Head of the Department the whole of whose time shall be given to the Department and also the remuneration of such Permanent Head.

(b) In an advisory capacity with the President and the Permanent Head of the Department with regard to the expenditure of the "Income " in connection with the Department, and especially, with regard to the apportionment of the "Income" between the sub-departments including the apportionment with regard to the sub-department of Pediatrics.

(c) As to the time when the sub-department of Pediatrics shall be specially developed as hereinafter mentioned and the portion of the said "Income" to be thereafter expended in connection with such sub-department.

8. It is the desire of the Donors that when a proper time has arrived the sub-department of Pediatrics should be emphasized and specially developed, under the Head of the Department of General Medicine and that the Head of such sub-department of Pediatrics should be required to give at least half of his time to such sub-department.

9. The Head of the Department of General Medicine shall recommend to the President for appointment and dismissal all men in his Department whether under salary and giving their whole time to the work in which they are engaged or whether receiving an honorarium and giving part only of their time or whether giving their time without honorarium or salary.

10. Upon failure at any time of the Governors to carry out the terms of this agreement and especially the second paragraph hereof all obligations hereunder on the part of the Donors shall cease and determine.

11. The Donors Sir John C. Eaton and Lady Eaton shall not be liable in respect of any of the payments or obligations undertaken by the Donors hereunder but the Donor The T.Eaton Co.Limited shall be solely liable therefor such liability being accepted by the Governors to the exclusion of any liability on the part of the other Donors.

THIS AGREEMENT shall extend to and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF the parties of the First Part have hereunto set their hands and seals and the Party of the Second Part has caused itsCorporate Seal to be affixed under the hands of their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED)
in the presence of)
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DATED 1918.

SIR JOHN AND LADY EATON

-and-

THE GOVERNORS OF THE UNIVERSITY OF TORONTO.

DEED OF GIFT
9th draft - October 29th

OSLER HOSKIN & HARCOURT.

380

March 31st, 1919

Sir John Eaton,

Ardwold,

Toronto.

My dear Sir John:

You will be glad to know that at a meeting of the Board of Governors held a few days ago my recommendation was unanimously adopted to appoint Dr. Duncan Graham as Professor of Medicine at a salary of ten thousand dollars to begin on July first, in accordance with the terms of your deed of gift.

I hope and am confident that this appointment will meet with the approval of Lady Eaton and yourself; also that it will prove to be the beginning of a great development in Medicine not only in this University but in the Dominion of Canada.

With kind regards, I am,

Yours sincerely,

President.

See Also -

GOLDIE, Captain William -

ASS. PROFESSOR,
CLINICAL MEDICINE
1918-1919

382

ARDWOLD
TORONTO.

February 27th, 1919.

Sir Robt. Falconer,
President-University of Toronto,
T o r o n t o.

Dear Sir Robt. Falconer,-

Sir John and Lady Eaton have asked me to confirm their verbal nomination of their representatives on the Committee to be formed in connection with the proposed Department of Medicine at the University.

The names of the members of the medical profession are Dr. William Goldie and Dr.Alan W. Canfield, and the personal representative is the writer.

I shall be obliged if you will submit these names on behalf of the Donors to the Board of Governors of the University.

Yours faithfully,

Robert Kilgour